

United States District Court
for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 27, 2019

SEAN F. MCVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Sharte Dashon Kimble Case Number: 0980 4:14CR06031-EFS-1

Address of Offender: Yakima, Washington 98902

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: December 19, 2014

Original Offense: Possession of a Controlled Substance with Intent to Distribute - Cocaine,
21 U.S.C. § 841 (a)(1) and (b)(1)(C)

Possession of a Firearm in Furtherance of a Drug Trafficking Crime,
18 U.S.C. § 924 (c)(1)(A)

Original Sentence: Prison - 61 months; TSR - 60 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Alison L. Gregoire Date Supervision Commenced: December 14, 2018

Defense Attorney: Federal Defenders Office Date Supervision Expires: December 13, 2023

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1 **Mandatory Condition:** The defendant shall not commit another federal, state, or local crime.

Supporting Evidence: It is alleged that Mr. Kimble violated a mandatory condition on August 24, 2019, by attempting to elude law enforcement in violation of Revised Code of Washington (RCW) 46.61.024; Kittitas County Superior Court, cause number 19-1-00243-2. (See narrative below)

2 **Mandatory Condition:** The defendant shall not commit another federal, state, or local crime.

Supporting Evidence: It is alleged that Mr. Kimble violated a mandatory condition on August 24, 2019, by driving with a suspended license in violation of RCW 46.20.342; Kittitas County Superior Court, cause number 19-1-00243-2. (See narrative below)

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Mandatory Condition: The defendant shall not commit another federal, state, or local crime.

Supporting Evidence: It is alleged that Mr. Kimble violated a mandatory condition on August 24, 2019, by being in possession of a controlled substance in violation of RCW 69.50.4013; Kittitas County Superior Court, cause number 19-1-00243-2.

On December 17, 2018, supervised release conditions were reviewed and signed by Mr. Kimble acknowledging his understanding of the mandatory conditions. According to the Washington State Patrol narrative report for incident number 19-018673, the following occurred:

On August 24, 2019, a Sergeant with the Washington State Patrol (WSP) pulled a vehicle over driven by Mr. Kimble, for traveling 93 miles per hour (MPH) in a posted 70 MPH speed limit zone. Upon stopping the vehicle, the trooper could see the driver lift open the center console and quickly shut it. When the trooper ran a driver's check on Mr. Kimble, his driving status returned as first degree revoked. Due to Mr. Kimble's driving status being revoked, the trooper requested another unit to assist.

As another WSP unit was arriving, the trooper re-approached Mr. Kimble. The trooper ordered Mr. Kimble to exit the vehicle because there was an issue with his license and he could not drive. Mr. Kimble then put the vehicle in gear and accelerated away eastbound on Interstate 90 (I-90). The trooper quickly got back into his patrol car and took off after Mr. Kimble with lights and siren activated. While the trooper was following Mr. Kimble the vehicle Mr. Kimble was driving reached speeds in excess of 110 MPH.

After approximately 4 miles, Mr. Kimble began to slow the vehicle he was driving and stopped in the shoulder of I-90. Mr. Kimble and his passenger exited the vehicle and were placed into custody. Mr. Kimble was read his constitutional rights, he then stated he understood and was willing to speak with the trooper. Mr. Kimble stated he panicked and attempted to drive away from the trooper. He also stated he knew he was not going to outrun the trooper so he pulled over. Mr. Kimble apologized for his actions and informed the trooper he was on probation.

The trooper requested consent to search the vehicle Mr. Kimble was driving and read Mr. Kimble the Ferrier warnings. Mr. Kimble told the trooper there was nothing illegal in the vehicle and he allowed the trooper to search the vehicle he was driving. After receiving consent the trooper located some plastic wrap that contained four blue round pills in the same center console that Mr. Kimble had reached into when he was initially pulled over. The trooper later determined the 4 blue round pills were 30-milligram oxycodone hydrochloride pills, a schedule II narcotic.

Mr. Kimble made an preliminary appearance, in Kittitas County Superior Court, on August 26, 2019, and was released on his own recognizance. His next court date in Kittitas County Superior Court is scheduled for September 9, 2019.

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Standard Condition #1: The defendant shall not leave the judicial district without the permission from the court or probation officer.

Supporting Evidence: It is alleged that Mr. Kimble violated standard condition #1 on August 24, 2019, by traveling to the Western District of Washington with out receiving permission from probation.

On December 17, 2018, supervised release conditions were reviewed and signed by Mr. Kimble acknowledging his understanding of standard condition #1.

On August 27, 2019, Mr. Kimble reported to probation as directed and admitted to traveling to the Western District of Washington with out permission on August 24, 2019. Mr. Kimble explained that he took his children back to their mother's house in Covington, Washington. Mr. Kimble acknowledged he did not receive permission from this officer to travel out of the district.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 27, 2019

s/Phil Casey

Phil Casey
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other



Signature of Judicial Officer

8/27/19

Date